

## ROADS, BRIDGES AND FERRIES.

Committee Room,  
Austin, Texas, March 17, 1905.  
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 546, a bill to be entitled "An Act to exempt the county of Llano from the provisions and operations of Chapter 66 of the general laws of the regular session of the Twenty-seventh Legislature, relating to a special road system for the counties of Panola and Llano."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be not printed. MARTIN, Chairman.

## FORTY-FOURTH DAY.

Senate Chamber,  
Austin, Texas,  
Saturday, March 18, 1905.  
Senate met pursuant to adjournment, Lieutenant-Governor Geo. D. Neal presiding.

Roll call, no quorum present, the following Senators answering to their names:

Brachfield.	Holland.
Davidson.	Looney.
Decker.	Martin.
Faulk.	McKamy.
Glasscock.	Paulus.
Griggs.	Skinner.
Grinnan.	Stafford.
Hawkins.	Stone.
Hicks.	Terrell.
Hill.	Willacy.

## Absent.

Barrett.	Harbison.
Beaty.	Harper.
Chambers.	Meachum.
Faust.	Smith.
Hale.	Stokes.
Hanger.	

Senator Davidson moved a call of the Senate for the purpose of securing and maintaining a quorum. The call being duly seconded, the roll was called, the following Senators answering to their names:

Brachfield.	Hawkins.
Davidson.	Hicks.
Decker.	Hill.
Faulk.	Holland.
Grinnan.	Looney.
Glasscock.	Martin.
Griggs.	McKamy.

Paulus.	Stafford.
Stone.	Terrell.
Skinner.	Willacy.
Smith.	

## Absent.

Barrett.	Hanger.
Beaty.	Harbison.
Chambers.	Harper.
Faust.	Meachum.
Hale.	Stokes.

## ABSENTEES NOT EXCUSED.

Senators Barrett, Beaty, Chambers, Faust, Hale, Hanger, Harbison, Harper, Meachum, Stokes.

The roll call developed a quorum, and the Chair so announced.

Prayer by Chaplain, Rev. H. B. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Faulk the same was dispensed with.

## PETITIONS AND MEMORIALS.

## By Senator Hill:

March 13, 1905.

Be it resolved by the County Commissioners Court of El Paso county (all members thereof being present), that Senator Hill and A. L. Sharpe, Senator and Representative for the Twenty-fifth Senatorial District and One Hundred and First Representative District, use their best efforts toward securing the necessary legislation in reference to the passage of an act ceding to the United States government a certain portion of the public road of El Paso county, leading from the city of El Paso to Fort Bliss, Texas.

The State of Texas, County of El Paso.

I, Park W. Pitman, Clerk of the County Court of El Paso county, Texas, do hereby certify that the foregoing is a true and correct copy of the original order, as passed, approved and adopted by the Commissioners Court of said county, now of record in said court in book 6, at page 81.

Given under my hand and seal of said court, at office in El Paso, this the 16th day of March, A. D. 1905.

(Seal) PARK W. PITMAN, Clerk.

Attest: By C. Armonder, Deputy.

By Senator Glasscock:

To the Honorable Legislature of the State of Texas:

We, the undersigned citizens and taxpayers of Burnet county do hereby petition your honorable body to repeal the special road law for Burnet county known as the Pearson road law.

Numerously signed.

By Senator Brachfield:

Teneha, Texas, March 11, 1905.

Hon. C. L. Brachfield, Austin.

Dear Sir: We, the citizens of Shelby county, earnestly request, if consistent with your views, to give the Bowser, Love, Kennedy and Williams tax bills your zealous support when they reach the Senate.

E. S. Hicks, J. A. Bridger, C. S. McNeill, B. T. Pulley, G. C. Swindell, R. C. Matthews, Jno. W. Burns, R. H. Holmes, A. Baldwin, Z. M. Kyle, J. W. Christian, W. S. Webb, R. Holmes, B. C. Davison, C. H. Bogard, J. O. Burns, K. M. McFarland, W. J. Spirey, R. L. Spirey, Cliff Parkman, C. J. Owen, R. Y. Gibson, R. W. Young, J. T. Collins, T. J. Kyle, W. H. Stanley, E. Morris, Henry Baldwin, W. A. J. Edge, W. I. Wyatt, J. N. Storey, W. B. D. Berry, C. Baldwin, F. H. Dike, A. B. Knight, J. W. Deksan, J. A. Barker, E. H. Mecalf, J. J. Richardson, J. E. McNeill, Jr., G. M. Berry, W. L. Hodges, J. T. Holdman, J. F. Watts, G. T. Crow, J. N. Witherspoon, O. P. Martindale, M. F. Witherspoon, J. T. King, F. R. Johnston, W. J. R. Pounds, Allen McCarthy, C. M. Mount, R. D. Holt, W. G. Graham, R. Y. Corley, H. C. Corley, J. A. Parrish, R. H. Davis, S. Bell, Ed Richardson, J. S. Hilliard, R. T. Parker, Geo. A. Nelson, G. A. Hayden, J. T. Piddy, Asa Davis, W. S. Peterson, W. E. Gunter, S. A. Crawford, J. F. Bridges, W. D. White, Chas. L. White, G. H. Alford, H. T. Grantham, W. M. Dickinson, O. B. Green, A. B. Collins, C. Linthers, R. B. Hall, C. Wallis, L. McMillan, John T. Dickson, C. E. Galloway, W. K. Hendricks, J. W. Paul, J. A. Femy, S. E. Tremaine.

Henderson, Texas, March 13, 1905.

Hon. Chas. L. Brachfield, Austin, Tex.

Dear Sir: We, the undersigned farmers and citizens of Rusk county, would respectfully ask you to support the tax measures that originated in the House, and protest against any increase in the ad valorem rate of taxation.

In raising the ad valorem rate the farmers bear the greater part of the burden of raising the deficiency that exists in our State Treasury. Therefore we would respectfully ask you to support the Bowser bill, the Love bill, the Kennedy bill and the Williams intangible asset bill.

J. P. Crim, L. M. Thomas, W. F. M. Cox, L. J. Smith, Benton Waggoner, N. R. Dorsey, W. B. Crim, B. M. Crim, A. P. Johnson, W. N. Brown, V. E. Rogers, A. B. Crim, Nemel T. Ray, J. T. Dunklin, W. C. Dunklin, L. L. Brown, C. G. Mescu, E. Lloyd, J. H. Woolley, W. T. Harris, Mac. Brown, T. O. Woolley, J. C. Rogers, J. W. Fussell, W. W. Wilson, L. A. Williams, L. B. Thompson, J. P. Woolley.

## BILLS AND RESOLUTIONS.

(Bills.)

By Senator Glasscock.

Senate bill No. 297, a bill to be entitled "An Act to repeal Chapter 21, pages 129, 130, 131, 132, 133, 134 and 135, of the Regular Session of the Twenty-eighth Legislature of the State of Texas, being the special road law of Burnet county, Texas, and to restore Burnet county to the operation of the general road and bridge laws of this State."

Read first time, and referred to the Committee on Roads, Bridges and Ferries.

By Senator Decker:

Senate bill No. 298, a bill to be entitled "An Act to extend the laws and supervision of the Insurance Department over persons, firms, or association not incorporated to do an insurance business in this State."

Read first time, and referred to the Committee on Insurance, Statistics and History.

By Senator Griggs (by request.)

Senate bill No. 299, a bill to be entitled "An Act to provide for the issuance of insurance policies against tornadoes, cyclones, storms, wind and lightning."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Beaty:

Senate bill No. 300, a bill to be entitled "An Act to amend Chapter 3, of the General Laws of the State of Texas passed at the first Called Session of the Twenty-seventh Legislature, approved September 2, 1901, amending Chapter 3, Section 1 of an Act to amend Section 1 of an Act entitled 'An Act to redistrict the State into judicial districts and fix the times for holding court therein; and to provide for the election of judges and district attorneys in said districts at the next general election to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883; to amend an Act entitled "An Act to regulate the terms and fix the times for holding district courts in the First Judicial District of Texas, composed of Jasper, Newton, Orange, Jefferson and Tyler counties, so as to change the terms in Tyler and Jefferson counties, approved April 10, 1899;" to create the Fifty-eighth Judicial District of the State of Texas; to fix the times for holding court therein and to provide for the appointment of a district judge and a district attorney for said Fifty-eighth Judicial District, and to validate all writs and other process heretofore issued out of the District Court of said First Judicial District, and to

repeal all laws and parts of laws in conflict herewith, and declaring an emergency;" and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Committee on Judicial Districts.

Morning call concluded.

#### FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Twenty-ninth Legislature,  
Austin, Texas, March 18, 1905.

Hon. George D. Neal, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 474, a bill to be entitled "An Act to amend the charter of the city of Sherman, by adding to said city charter of the city of Sherman, Sections 1a to 29a, inclusive, and by repealing all laws or parts of laws in conflict with such added sections, and to declare an emergency."

House bill No. 287, a bill to be entitled "An Act to amend Article 258 of the Code of Criminal Procedure, relating to warrants of arrest issued by magistrates, and to repeal all laws in conflict herewith."

House bill No. 566, a bill to be entitled "An Act to amend Chapter 21 of the Special Laws of the Twenty-seventh Legislature, creating a road law for Cass county, Texas, and being entitled 'An Act to create a more efficient road law for Cass county, creating the office of county road superintendent, prescribing his qualifications and duties and fixing salary for same; providing for working county and State convicts and delinquent poll taxpayers on public roads.'"

House bill No. 438, a bill to be entitled "An Act to more definitely locate and define the boundary lines of Colorado county, and to repeal all laws in conflict therewith."

House concurs in Senate amendments to House bill No. 190, and adopted the free conference committee report to Senate bill No. 62.

Also granted request for free conference committee on Senate bill No. 154 and appointed the following on part of the House: Bryan of Taylor, Sevier, Hudspeth, Ware, McKenzie.

Respectfully, BOB BARKER,  
Chief Clerk, House of Representatives.

#### BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Neal) had read and referred, after their captions had been read, the following House bills:

House bill No. 287, to Judiciary No. 2.

House bill No. 566 to Roads, Bridges and Ferries.

House bill No. 438 to Roads, Bridges and Ferries.

House bill No. 474 to City and Town Corporations.

#### SENATE BILL NO. 231—PASSAGE OF.

On motion of Senator Davidson, the pending order of business, was suspended, and the Senate took up, out of its order, Senate bill No. 231.

The Chair laid before the Senate on second reading,

Senate bill No. 231, a bill to be entitled "An Act to amend Article 335 of Chapter 3, Title IX, of the Penal Code of the State of Texas, making it a penalty to disturb the peace on railroad trains."

On motion of Senator Davidson the committee report, which recommended a substitute bill, was adopted.

Senator Glasscock offered the following amendment:

Amend by inserting after the word "train" in line 24, page 1, by inserting the words "or any street car or inter-urban car," and amend the caption to conform with this amendment.

The amendment was adopted.

Bill read second time and ordered engrossed.

On motion of Senator Davidson the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Brachfield.	Looney.
Davidson.	Martin.
Decker.	McKamy.
Faulk.	Paulus.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stafford.
Hawkins.	Stone.
Hicks.	Terrell.
Hill.	Willacy.
Holland.	

Absent.

Barrett.	Hanger.
Beaty.	Harbison.
Chambers.	Harper.
Faust.	Meachum.
Hale.	Stokes.

The bill was read third time and passed by the following vote:

Yeas—20.

Brachfield.	Decker.
Davidson.	Faulk.

Glasscock.  
Griggs.  
Grinnan.  
Hawkins.  
Hicks.  
Hill.  
Holland.  
Looney.

Martin.  
McKamy.  
Paulus.  
Skinner.  
Stafford.  
Stone.  
Terrell.  
Willacy.

Present—Not Voting.

Smith.

Absent.

Barrett.  
Beaty.  
Chambers.  
Faust.  
Hale.

Hanger.  
Harbison.  
Harper.  
Meachum.  
Stokes.

Senator Davidson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.  
(Senator Willacy in the chair.)

#### HOUSE BILL NO. 46.

Senator Hicks moved that the pending order of business (House bill No. 67) be suspended and the Senate take up, out of its order, House bill No. 46.

Pending discussion by Senator Smith on the motion to postpone pending business.

Senator Stafford made a point of order that the Senator was addressing himself to Senate bill No. 244, instead of the motion to postpone.

The Chair overruled the point of order.

#### SIMPLE RESOLUTION.

By Senator Paulus:

Resolved, That there be a session of the Senate at 3 p. m., Tuesday, the 21st day of March, 1905, for purpose of considering bills of a local nature only.

The resolution was read second time, and was adopted.

#### HOUSE BILL NO. 46—PASSAGE OF.

Action recurring on Senator Hicks' motion to suspend pending business, and

That motion was adopted.

The Chair laid before the Senate, on second reading,

House bill No. 46, a bill to be en-

titled "An Act to amend Article 2967 of the Revised Civil Statutes of the State of Texas, as enacted in the year 1905, so as to make the separate property of the wife, the rents and revenues derived from property, whether real or personal, granted to the wife by will, deed or otherwise, with the provision that the rents and revenues derived therefrom shall be her separate property, and to exempt same from the management and control of the husband, and from debts contracted by him."

Senator Faulk offered the following amendment:

Amend by striking out all of Section 1 after the word "benefit," line 8, page 2.

The amendment was adopted.

Senator Griggs offered the following amendment:

Amendment—Amend by inserting, in line 8, page 2, after the word "benefit," the following: "and subject to the payment of debts created for the benefit and maintenance of herself and children, where the husband is unable to maintain such wife and children in the social sphere so adopted and maintained by the wife and children."

Senator Skinner offered the following amendment to the amendment:

Amend the amendment offered by the Senator from Harris by adding, after the word "herself," the words "her husband."

On motion of Senator Hicks, both amendments were tabled.

Senator Davidson offered the following amendment:

Amend the bill by striking out the words "Be it enacted," in line 21, page 1, of the bill.

Senator Grinnan offered the following amendment:

Amend by adding after the word "therefrom," in line 4, page 2, the following: "except rents, interest, revenues and profits from property given by the husband."

Senator Faulk offered the following substitute for the amendment:

Amend by striking out all after the word "property," in line 32, page 1.

The substitute amendment was ruled out of order.

Senator Davidson offered the following amendment to the amendment:

Amend the amendment by adding thereto the following: "or property that at any time was the community property of husband and wife."

Senator Hicks offered the following substitute for the amendments and the amendment to the amendment:

Amend by adding after the word "property," in line 5, page 2: "except rents, interest, revenues and profits

from property given by the husband, or property that was at any time the community property of husband and wife."

The substitute amendment was adopted.

Senator Faulk offered the following amendment to the substitute amendment:

Amend after the word "husband," by adding the following: "Or is derived from his labor or efforts."

On motion of Senator Hicks, the amendment to the substitute was tabled.

The amendment, as substituted, was then adopted.

Senator Holland offered the following amendment:

Amend by striking out all after the word "descent," in line 29, page 1, of the printed bill, and insert in lieu thereof the following: "Deed or otherwise, as also the avails, increase, rents, revenues and profits derived therefrom shall be the separate property of the wife, but during the marriage the husband shall have the sole management of all of such property."

Pending Senator Holland's discussion to his amendment.

On motion of Senator Looney, Senator Paulus was excused, there being a quorum without him.

#### ADJOURNMENT.

Senator Hill moved that the Senate adjourn till Tuesday morning at 10 o'clock.

Senator Smith moved that the Senate adjourn till Monday morning at 10 o'clock.

Action being on the longest time first, the Senate refused to adjourn till Tuesday morning by the following vote:

Yeas—9.

Brachfield.	McKamy.
Glasscock.	Skinner.
Griggs.	Stafford.
Grinnan.	Willacy.
Hill.	

Nays—12.

Davidson.	Looney.
Decker.	Martin.
Faulk.	Smith.
Hawkins.	Stokes.
Hicks.	Stone.
Holland.	Terrell.

Absent.

Barrett.	Hanger.
Beaty.	Harbison.
Chambers.	Harper.
Faust.	Meachum.
Hale.	

Absent—Excused.

Paulus.

The motion to adjourn till Monday at 10 o'clock was then adopted.

#### JUDICIARY NO. 1.

Committee Room,

Austin, Texas, March 18, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 291, a bill to be entitled "An Act to amend Article 805 of the Revised Statutes of 1895, relating to hunting and fishing on enclosed and posted lands,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

#### EDUCATIONAL AFFAIRS.

Committee Room,

Austin, Texas, March 18, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Education, to whom was referred

House bill No. 573, a bill to be entitled "An Act creating the Grand Saline independent school district in Van Zandt county, Texas, and defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools within said district, investing the said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the General Laws, conferring upon the board of trustees thereof and charging them with the rights, powers, privileges and duties, which by the General Laws of this State are conferred and imposed upon trustees of independent school districts incorporated under the General Laws and applying to said Grand Saline independent school district all of the General Laws now in force, applicable to independent school districts incorporated or created under Article 616a of the Revised Civil Statutes of the State of Texas, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

GRINNAN, Chairman.



## ROADS, BRIDGES AND FERRIES.

Committee Room,  
Austin, Texas, March 18, 1905.  
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 566, a bill to be entitled "An Act to amend Chapter 21 of the Special Laws of the Twenty-seventh Legislature, creating a road law for Cass county,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MARTIN, Chairman.

Committee Room,  
Austin, Texas, March 18, 1905.  
Hon. George D. Neal, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 438, a bill to be entitled "An Act to more definitely locate and define the boundary lines of Colorado county, and to repeal all laws in conflict therewith,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MARTIN, Chairman.

## ENGROSSING DEPARTMENT.

Committee Room,  
Austin, Texas, March 17, 1905.  
Hon. George D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 281, being "An Act ratifying and confirming an ordinance passed by the Board of Commissioners of the city of Galveston on the 13th day of March, 1905, entitled 'An ordinance abandoning, closing and discontinuing certain streets, avenues and alleys of the city of Galveston, and authorizing and empowering M. A. Low and his heirs and assigns to construct and perpetually maintain piers, docks, wharves, warehouses, depots, platforms, tracks and elevators, and to dredge or fill between and on the sides of such piers, docks, wharves, warehouses, depots, platforms, tracks and elevators, on the shores of Galveston Bay, within the corporate limits of the city of Galveston, upon certain specified conditions,' and conditionally relinquishing any claim the State of

Texas may have to part of the land therein described.

And find the same correctly engrossed.

LOONEY, Acting Chairman.

Committee Room,  
Austin, Texas, March 18, 1905.  
Hon. George D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 290, being "An Act to amend Section 118 of an act of the Legislature of the State of Texas, entitled 'An Act to incorporate the city of Denison in Grayson county, Texas,'"

And find the same correctly engrossed.

LOONEY, Acting Chairman.

## FORTY-FIFTH DAY.

Senate Chamber,  
Austin, Texas,  
Monday, March 20, 1905.

Senate met pursuant to adjournment, President Pro Tem. Hanger in the chair.

Roll call, no quorum present, the following Senators answering to their names.

Barrett.	Hill.
Brachfield.	Looney.
Chambers.	Martin.
Davidson.	Meachum.
Faust.	Smith.
Grinnan.	Stokes.
Hanger.	Stone.
Harbison.	Terrell.
Hicks.	Willacy.

## Absent.

Beaty.	Hawkins.
Decker.	Holland.
Faulk.	McKamy.
Glasscock.	Paulus.
Griggs.	Skinner.
Hale.	Stafford.
Harper.	

There being no quorum present, Senator Smith moved a call of the Senate for the purpose of securing a quorum, the call being duly seconded the roll was called, the following answering to their names, which developed a quorum:

Barrett.	Faust.
Beaty.	Griggs.
Brachfield.	Grinnan.
Chambers.	Hanger.
Davidson.	Harbison.
Decker.	Hawkins.
Faulk.	Hicks.